



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dennis SCHULTZ

Serial No. 10/716,569

Filed: November 18, 2003

For: THREADED INSERT FOR
FASTENERS

Examiner: Neill R. Wilson

Group Art Unit 3677

Docket No. HISHE 66269

July 23, 2004

Los Angeles, California 90045

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTION

UNDER 37 C.F.R. 1.321

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, HI-SHEAR CORPORATION, a California corporation having a place of business at 2600 Skypark Drive, Torrance, California 90509, is the assignee and owner of 100 percent interest in the instant application, Serial No. 10/716,569, filed on November 18, 2003, for THREADED INSERT FOR FASTENERS, which is a continuation of Serial No. 10/153,167, filed May 22, 2002, now Patent No. 6,672,811, as recorded at reel 013275 Frame 0850 in connection with Serial No. 10/153,167. The assignment document has been reviewed, and petitioner hereby certifies that, to the best

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of petitioner's knowledge and belief, title in the instant application, Serial No. 10/716,569, is in petitioner.

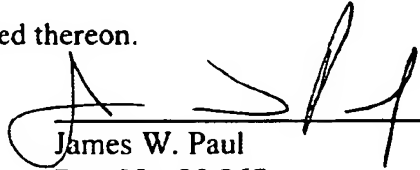
Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,672,811, issued January 6, 2004, which is also owned by petitioner. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior Patent No. 6,672,811 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

July 23, 2004
Date


James W. Paul
Reg. No. 29,967

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$770.00

Complete if Known

Application Number
Filing Date November 18, 2003
First Named Inventor Dennis Schultz
Examiner Name Unknown
Art Unit Unknown
Attorney Docket No. HISHE:66269

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																					
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 06-2425 Deposit Account Name Fulwider Patton Lee & Utecht The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051 65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052 25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053 130 Non - English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812 2,520 For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804 920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805 1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251 55 Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252 210 Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253 475 Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254 740 Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>2255 1,005 Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401 165 Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402 165 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403 145 Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451 1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452 55 Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453 665 Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501 665 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502 240 Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503 320 Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460 130 Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807 50 Processing fee under 37 CFR § 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806 180 Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021 40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810 385 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801 385 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802 900 Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> Other fee (specify) _____		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1051	130	2051 65 Surcharge - late filing fee or oath		1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet		1053	130	1053 130 Non - English specification		1812	2,520	1812 2,520 For filing a request for <i>ex parte</i> reexamination		1804	920*	1804 920* Requesting publication of SIR prior to Examiner action		1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action		1251	110	2251 55 Extension for reply within first month		1252	420	2252 210 Extension for reply within second month		1253	950	2253 475 Extension for reply within third month		1254	1,480	2254 740 Extension for reply within fourth month		1255	2,010	2255 1,005 Extension for reply within fifth month		1401	330	2401 165 Notice of Appeal		1402	330	2402 165 Filing a brief in support of an appeal		1403	290	2403 145 Request for oral hearing		1451	1,510	1451 1,510 Petition to institute a public use proceeding		1452	110	2452 55 Petition to revive - unavoidable		1453	1,330	2453 665 Petition to revive - unintentional		1501	1,330	2501 665 Utility issue fee (or reissue)		1502	480	2502 240 Design issue fee		1503	640	2503 320 Plant issue fee		1460	130	1460 130 Petitions to the Commissioner		1807	50	1807 50 Processing fee under 37 CFR § 1.17(q)		1806	180	1806 180 Submission of Information Disclosure Statement		8021	40	8021 40 Recording each patent assignment per property (times number of properties)		1809	770	2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))		1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))		1801	770	2801 385 Request for Continued Examination (RCE)		1802	900	1802 900 Request for expedited examination of a design application	
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	James W. Paul	Registration No. (Attorney/Agent)	29,967
Signature		Telephone	310-824-5555
		Date	November 18, 2003

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